

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:23-cr-6-MOC-SCR

UNITED STATES OF AMERICA,

Vs.

**GREGORY GENTER,**  
**RICHARD BRASSER,**

Defendants.

ORDER OF CONTINUANCE  
(Additional Time to Prepare Required)

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**THIS MATTER** is before the Court on Defendants' Unopposed Motion of Peremptory Setting and implicit Motion to Continue. (#37). Having considered the motions and reviewed the pleadings, the Court enters the following Order.

**ORDER**

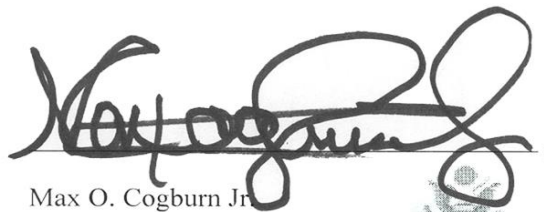
**IT IS, THEREFORE, ORDERED** the implicit Motion to Continue (#37) is **GRANTED**, this matter is continued to the next criminal term, and the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Further, the ends of justice served by granting such continuance outweigh the best interests of the public and the defendants in a speedy trial. Specifically, defendants and counsel have shown a need for additional time as this case involves complex discovery issues. This matter is continued to the next criminal term, and

the time is excluded. The time for filing pretrial motions is **ENLARGED** by 60 days from entry of this Order.

As for defendants' request for a peremptory trial setting of February 2024, the Court's first two 2024 criminal terms for Charlotte are January 2, 2024, and March 4, 2024. Moreover, the Court does not favor peremptory settings. At the Court's next docket call, the Court will discuss the option of setting this matter for peremptory setting for a trial date of March 4, 2024. For now, however, this matter is continued to the next term.

**IT IS FURTHER ORDERED** that in accordance with 18 U.S.C. § 3161(h)(6), this matter is continued as to the remaining co-defendants and the time is excluded as a reasonable period of delay as such defendants are joined with a co-defendant whose case has been continued from the term and as to whom the time for trial has not run and no motion for severance has been granted.

Signed: October 18, 2023

A handwritten signature in black ink, appearing to read 'Max O. Cogburn Jr.', written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge